

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

UNITEDHEALTH GROUP INC.,
ANDREW WITTY, STEPHEN
HEMSLEY, and BRIAN
THOMPSON,

Defendants.

Case No. 0:24-cv-01743-JMB-DTS

**DEFENDANTS'¹ MOTION TO DISMISS
PLAINTIFF'S SUPPLEMENTAL CONSOLIDATED COMPLAINT**

Defendants UnitedHealth Group Incorporated, Andrew Witty, and Stephen Hemsley (collectively, "Defendants"), by and through their undersigned counsel of record, respectfully move this Court for an Order, pursuant to 15 U.S.C. §78u-4 and Rules 8, 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff's Supplemental Consolidated Complaint for Violations of the Federal Securities Laws (ECF No. 79) with prejudice. As set forth in Defendants' accompanying Memorandum of Law in Support of their Motion to Dismiss, filed contemporaneously with this Motion, the Complaint fails to state a claim upon which relief may be granted.

¹ The Motion to Dismiss is brought by Defendants UnitedHealth Group Incorporated, Andrew Witty, and Stephen Hemsley. Defendant Brian Thompson is deceased.

This Motion is based upon all the files, records, and proceedings in this action, and upon Defendants' Memorandum of Law in Support of their Motion to Dismiss and the Declaration of Michael G. Bongiorno and accompanying exhibits submitted herewith.

Date: February 28, 2025

Respectfully submitted,

/s/ Michael G. Bongiorno
Michael G. Bongiorno

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